

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

March 28, 2018

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>HF 619</u>	<u>H-8335</u>	Filed	MAXWELL of Poweshiek
<u>HF 2233</u>	<u>H-8332</u>	Filed	RECEIVED FROM THE SENATE
<u>HF 2234</u>	<u>H-8324</u>	Filed	WOLFE of Clinton
<u>HF 2234</u>	<u>H-8329</u>	Filed	McCONKEY of Pottawattamie
<u>HF 2253</u>	<u>H-8333</u>	Filed	RECEIVED FROM THE SENATE
<u>HF 2297</u>	<u>H-8323</u>	Filed	RECEIVED FROM THE SENATE
<u>HF 2392</u>	<u>H-8337</u>	Filed	HEARTSILL of Marion
<u>SF 481</u>	<u>H-8336</u>	Filed	HOLT of Crawford
<u>SF 2235</u>	<u>H-8326</u>	Filed	OLSON of Polk
<u>SF 2235</u>	<u>H-8327</u>	Filed	OLSON of Polk
<u>SF 2235</u>	<u>H-8328</u>	Filed	OLSON of Polk
<u>SF 2311</u>	<u>H-8330</u>	Filed	ISENHART of Dubuque
<u>SF 2311</u>	<u>H-8331</u>	Filed	ISENHART of Dubuque
<u>SF 2311</u>	<u>H-8334</u>	Filed	ISENHART of Dubuque

[SF 2318](#) [H-8322](#) Filed

GASSMAN of
Winnebago

[SF 2353](#) [H-8325](#) Filed

KLEIN of
Washington

HOUSE FILE 619

H-8335

1 Amend House File 619 as follows:

2 1. Page 1, by striking lines 10 and 11 and inserting
3 <department to be reasonably competitive with fees established
4 in other public parks or recreation areas that provide the same
5 or similar privileges and are located within sixty miles of the
6 perimeter of the state park or recreation area for which the
7 department is establishing fees. Such fees may be>

8 2. Page 1, after line 22 by inserting:

9 <5. The department shall prepare an annual report reviewing
10 the fees established pursuant to this section. The report
11 shall include information about fees and occupancy rates
12 at each camping and rental facility in the state under the
13 jurisdiction of the department, special promotional events or
14 holiday rates for which fees were increased, reduced, or waived
15 at those camping and rental facilities, and any recommendations
16 for changes in fees or rules adopted pursuant to this section.
17 The report shall be submitted to the senate standing committee
18 on natural resources and environment and the house standing
19 committee on natural resources by December 31 of each year.>

20 3. Page 1, line 23, by striking <2017> and inserting <2018>

By MAXWELL of Poweshiek

H-8335 FILED MARCH 27, 2018

SENATE AMENDMENT TO
HOUSE FILE 2233

H-8332

1 Amend House File 2233, as amended, passed, and reprinted by
2 the House, as follows:
3 1. Page 2, line 17, before <A> by inserting <1.>
4 2. Page 2, line 24, by striking <1.> and inserting <a.>
5 3. Page 3, line 2, by striking <2.> and inserting <b.>
6 4. Page 3, after line 4 by inserting:
7 <2. This section shall not apply to highway, bridge, or
8 culvert projects as referred to in section 573.28.>
9 5. By renumbering, redesignating, and correcting internal
10 references as necessary.

H-8332 FILED MARCH 27, 2018

HOUSE FILE 2234

H-8324

1 Amend the Senate amendment, H-8264, to House File 2234, as
2 passed by the House, as follows:

3 1. Page 1, after line 1 by inserting:

4 <____. Page 1, after line 32 by inserting:

5 <Sec. _____. Section 614.1, subsection 12, Code 2018, is
6 amended to read as follows:

7 12. *Sexual abuse or sexual exploitation by a counselor,*
8 *therapist, or school employee.* An action for damages for
9 injury suffered as a result of sexual abuse, as defined in
10 section 709.1, by a counselor, therapist, or school employee,
11 as defined in section 709.15, or as a result of sexual
12 exploitation by a counselor, therapist, or school employee
13 shall be brought within five ten years of the date the victim
14 was last treated by the counselor or therapist, or within
15 five ten years of the date the victim was last enrolled in or
16 attended the school. If the victim was a minor when the injury
17 or exploitation occurred, an action may be brought according
18 to section 614.8A.

19 Sec. _____. Section 614.8, Code 2018, is amended to read as
20 follows:

21 **614.8 Minors and persons with mental illness.**

22 1. The times limited for actions in this chapter, or for
23 complaints or claims in chapter 216, 669, or 670, except those
24 brought for penalties and forfeitures, are extended in favor
25 of persons with mental illness, so that they shall have one
26 year from and after the termination of the disability within
27 which to file a complaint pursuant to chapter 216, to make a
28 claim pursuant to chapter 669 or 670, or to otherwise commence
29 an action.

30 2. Except as provided in section 614.1, subsection 9, or
31 section 614.8A, the times limited for actions in this chapter,
32 or for complaints or claims in chapter 216, 669, or 670, except
33 those brought for penalties and forfeitures, are extended in
34 favor of minors, so that they shall have one year from and
35 after attainment of majority within which to file a complaint

1 pursuant to chapter 216, to make a claim pursuant to chapter
2 669, or to otherwise commence an action.

3 Sec. _____. Section 614.8A, Code 2018, is amended to read as
4 follows:

5 **614.8A ~~Damages~~ Commencement of action for minor or child**
6 **sexual abuse — time limitation.**

7 1. Notwithstanding section 614.8, subsection 2, and the
8 times limited for actions in this chapter, the time to file an
9 action relating to sexual abuse which occurred when the injured
10 person was a minor is extended twenty-five years beyond the
11 minor's attainment of eighteen years of age.

12 2. ~~An~~ In addition to the extension of time provided in
13 subsection 1, an action for damages for injury suffered as
14 a result of sexual abuse which occurred when the injured
15 person was a child, but not discovered until after the injured
16 person is of the age of majority, shall be brought within ~~four~~
17 twenty-five years from the time of discovery by the injured
18 party of both the injury and the causal relationship between
19 the injury and the sexual abuse.>>

20 2. Page 1, after line 15 by inserting:

21 <_____. Title page, by striking lines 1 through 3 and
22 inserting <An Act relating to periods of time for commencing
23 and executing certain civil actions and procedures.>>

24 3. By renumbering as necessary.

By WOLFE of Clinton

HOUSE FILE 2234

H-8329

1 Amend the Senate amendment, H-8264, to House File 2234, as
2 passed by the House, as follows:

3 1. Page 1, by striking line 2 and inserting:

4 <____. By striking page 1, line 33, through page 2, line 8,
5 and inserting:

6 <Sec. _____. Section 628.3, Code 2018, is amended to read as
7 follows:

8 **628.3 Redemption by debtor.**

9 The debtor may redeem real property at any time within
10 one year from the day of sale, and will, in the meantime,
11 be entitled to the possession thereof; and for the first six
12 months thereafter such right of redemption is exclusive.
13 However, the time that a debtor has to redeem real property may
14 be reduced in direct proportion to any delay in the service
15 of a default notice or the filing of the forfeiture action
16 required by 12 C.F.R. §1024.41(f)(1)(i) provided that the total
17 time that the debtor has to redeem is not less than six months
18 from the day of sale, that the debtor will, in the meantime,
19 be entitled to the possession of the real property, and that
20 for the first six months after the day of sale such right of
21 redemption is exclusive. Any real property redeemed by the
22 debtor shall thereafter be free and clear from any liability
23 for any unpaid portion of the judgment under which said real
24 property was sold.>

25 2. Page 1, by striking lines 3 through 15 and inserting:

26 <____. By striking page 2, line 31, through page 4, line 23,
27 and inserting:

28 <Sec. _____. Section 628.26, Code 2018, is amended to read as
29 follows:

30 **628.26 Agreement to reduce period of redemption.**

31 1. The mortgagor and the mortgagee of real property
32 consisting of less than ten acres in size may agree and provide
33 in the mortgage instrument that the period of redemption after
34 sale on foreclosure of said mortgage as set forth in section
35 628.3 be reduced to six months, provided the mortgagee waives

1 in the foreclosure action any rights to a deficiency judgment
2 against the mortgagor which might arise out of the foreclosure
3 proceedings. In such event the debtor will, in the meantime,
4 be entitled to the possession of said real property; and if
5 such redemption period is so reduced, for the first three
6 months after sale such right of redemption shall be exclusive
7 to the debtor, and the time periods in sections 628.5, 628.15,
8 and 628.16, shall be reduced to four months.

9 2. Notwithstanding subsection 1, if there is a delay in the
10 service of a default notice or the filing of the forfeiture
11 action required by 12 C.F.R. §1024.41(f)(1)(i), the mortgagor
12 and the mortgagee of real property consisting of less than ten
13 acres in size may agree and provide in the mortgage instrument
14 that the period of redemption after sale on foreclosure of said
15 mortgage as set forth in section 628.3 be reduced in proportion
16 to the delay caused by 12 C.F.R. §1024.41(f)(1)(i), provided
17 that the total time the debtor has to redeem is not less than
18 three months, and that the mortgagee waives in the foreclosure
19 action any rights to a deficiency judgment against the
20 mortgagor which might arise out of the foreclosure proceedings.
21 In such event the debtor will, in the meantime, be entitled to
22 the possession of said real property; and if such redemption
23 period is so reduced, for the first month after sale such right
24 of redemption shall be exclusive to the debtor, and the time
25 periods in sections 628.5, 628.15, and 628.16, shall be reduced
26 to two months.

27 Sec. _____. Section 654.20, subsection 1, Code 2018, is
28 amended to read as follows:

29 1. a. If the mortgaged property is not used for an
30 agricultural purpose as defined in section 535.13 and there was
31 not a delay in the service of a default notice or the filing of
32 the forfeiture action required by 12 C.F.R. §1024.41(f)(1)(i),
33 the plaintiff in an action to foreclose a real estate mortgage
34 may include in the petition an election for foreclosure without
35 redemption. The election is effective only if the first page

1 of the petition contains the following notice in capital
2 letters of the same type or print size as the rest of the
3 petition:

4 NOTICE

5 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
6 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
7 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE COURT
8 A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A WRITTEN
9 DEMAND, THE SALE WILL BE DELAYED UNTIL TWELVE MONTHS (or
10 SIX MONTHS if the petition includes a waiver of deficiency
11 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY
12 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
13 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
14 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT A
15 ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT OF
16 REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL BE
17 ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY. YOU
18 MAY PURCHASE AT THE SALE.

19 b. If the mortgaged property is not used for an agricultural
20 purpose as defined in section 535.13 and there was a delay in
21 the service of a default notice or the filing of the forfeiture
22 action required by 12 C.F.R. §1024.41(f)(1)(i), the plaintiff
23 in an action to foreclose a real estate mortgage may include in
24 the petition an election for foreclosure without redemption.
25 The election is effective only if the first page of the
26 petition contains the following notice in capital letters of
27 the same type or print size as the rest of the petition:

28 NOTICE

29 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
30 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
31 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE
32 COURT A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A
33 WRITTEN DEMAND, THE SALE WILL BE DELAYED UNTIL SIX MONTHS (or
34 THREE MONTHS if the petition includes a waiver of deficiency
35 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY

1 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
2 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
3 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT
4 A ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT
5 OF REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL
6 BE ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY.
7 YOU MAY PURCHASE AT THE SALE.

8 Sec. _____. Section 654.21, Code 2018, is amended to read as
9 follows:

10 **654.21 Demand for delay of sale.**

11 1. At any time prior to entry of judgment, the mortgagor may
12 file a demand for delay of sale. If the demand is filed, the
13 sale shall be held promptly after the expiration of two months
14 from entry of judgment.

15 2. However, if the demand is filed and the mortgaged
16 property is the residence of the mortgagor and is a one-family
17 or two-family dwelling, the sale shall be held promptly after
18 the expiration of twelve months, or six months if the petition
19 includes a waiver of deficiency judgment, from entry of
20 judgment.

21 3. However, if there was a delay in the service of a default
22 notice or the filing of the forfeiture action required by
23 12 C.F.R. §1024.41(f)(1)(i) and the demand is filed and the
24 mortgaged property is the residence of the mortgagor and is
25 a one-family or two-family dwelling, the sale shall be held
26 promptly after the expiration of six months, or three months
27 if the petition includes a waiver of deficiency judgment, from
28 entry of judgment.

29 4. If the demand is filed, the mortgagor and mortgagee
30 subsequently may file a stipulation that the sale may be held
31 promptly after the stipulation is filed and that the mortgagee
32 waives the right to entry of a deficiency judgment. If the
33 stipulation is filed, the sale shall be held promptly after
34 the filing. At any time prior to judgment, the mortgagor may
35 pay the plaintiff the amount claimed in the petition and, if

H-8329 (Continued)

1 paid, the foreclosure action shall be dismissed. At any time
2 after judgment and before the sale, the mortgagor may pay the
3 plaintiff the amount of the judgment and, if paid, the judgment
4 shall be satisfied of record and the sale shall not be held.>>
5 3. By renumbering, redesignating, and correcting internal
6 references as necessary.

By McCONKEY of Pottawattamie

H-8329 FILED MARCH 27, 2018

SENATE AMENDMENT TO
HOUSE FILE 2253

H-8333

1 Amend House File 2253, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, by striking lines 13 through 29 and inserting:

4 <3. a. "Public improvement" means a building or
5 construction work which is constructed under the control of
6 a governmental entity and ~~is paid~~ for which either of the
7 following applies:

8 (1) Has been paid for in whole or in part with funds of the
9 governmental entity, ~~including.~~

10 (2) A commitment has been made prior to construction by the
11 governmental entity to pay for the building or construction
12 work in whole or in part with funds of the governmental entity.

13 b. "Public improvement" includes a building or improvement
14 constructed or operated jointly with any other public or
15 private agency, but ~~excluding~~ excludes urban renewal demolition
16 and low-rent housing projects, industrial aid projects
17 authorized under chapter 419, emergency work or repair or
18 maintenance work performed by employees of a governmental
19 entity, and ~~excluding~~ excludes a highway, bridge, or culvert
20 project, and ~~excluding~~ excludes construction or repair or
21 maintenance work performed for a city utility under chapter 388
22 by its employees or performed for a rural water district under
23 chapter 357A by its employees.>

H-8333 FILED MARCH 27, 2018

SENATE AMENDMENT TO
HOUSE FILE 2297

H-8323

1 Amend House File 2297, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, line 20, after <inspection.> by inserting <For
4 purposes of this subsection, "dry lay-up" means a process
5 whereby a boiler is taken out of service for a period of six
6 months or longer, drained, dried, and cleaned, and measures to
7 prevent corrosion are performed on the boiler.>

H-8323 FILED MARCH 27, 2018

HOUSE FILE 2392

H-8337

1 Amend the Senate amendment, H-8299, to House File 2392, as
2 amended, passed, and reprinted by the House, as follows:

3 1. Page 1, line 4, by striking <provide proof of> and
4 inserting <detect>

5 2. Page 1, after line 4 by inserting:

6 <____. Page 1, line 24, after <device> by inserting <with the
7 knowledge and consent of all lawful owners or lessees of the
8 real property>>

By HEARTSILL of Marion

H-8337 FILED MARCH 27, 2018

SENATE FILE 481

H-8336

1 Amend Senate File 481, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 6, line 24, by striking <twelve months> and
4 inserting <ninety days>

By HOLT of Crawford

H-8336 FILED MARCH 27, 2018

SENATE FILE 2235

H-8326

1 Amend the amendment, H-8320, to Senate File 2235, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, line 22, by striking <supports, or is appurtenant
4 to> and inserting <or supports>

By OLSON of Polk

H-8326 FILED MARCH 27, 2018

SENATE FILE 2235

H-8327

1 Amend the amendment, H-8320, to Senate File 2235, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, line 26, by striking <intended to cause> and
4 inserting <intended to directly affect the security of this
5 state, including a political subdivision of this state, by
6 causing>

By OLSON of Polk

H-8327 FILED MARCH 27, 2018

SENATE FILE 2235

H-8328

1 Amend the Senate amendment, H-8320, to Senate File 2235, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 2, line 12, after <livestock.> by inserting <The
4 term "*substantial and widespread interruption or impairment of*
5 *a fundamental service*", as used in this definition, shall not
6 be construed to prohibit picketing, public demonstrations, and
7 similar forms of expressing ideas or views regarding legitimate
8 matters of public interest protected by the United States and
9 Iowa Constitutions.>

By OLSON of Polk

H-8328 FILED MARCH 27, 2018

SENATE FILE 2311

H-8330

1 Amend Senate File 2311, as amended, passed, and reprinted by
2 the Senate, as follows:
3 1. Page 5, line 21, after <board.> by inserting <If a public
4 utility automatically adjusts rates and charges to recover
5 costs related to transmission pursuant to this paragraph, the
6 utility shall represent the change in rates or charges in
7 customer billings as the percentage increase or decrease to the
8 existing rates or charges, not as the percentage change to the
9 average customer billing or any other calculation.>

By ISENHART of Dubuque

H-8330 FILED MARCH 27, 2018

SENATE FILE 2311

H-8331

1 Amend Senate File 2311, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 20, after line 4 by inserting:

4 <Sec. _____. Section 476.56, Code 2018, is amended to read as
5 follows:

6 **476.56 Energy costs provided.**

7 A gas or electric public utility shall provide, upon the
8 request of a person who states in writing that the person is an
9 owner of real property, or an interested prospective purchaser
10 ~~or renter~~ of the property, which is or has been receiving gas
11 or electric service from the public utility, the annual gas
12 or electric energy costs for the property. A gas or electric
13 public utility and, notwithstanding section 476.1, subsection
14 5, a public utility furnishing water or sewer service, shall
15 comply with the utility service cost disclosure provisions of
16 section 562A.13A with regard to existing or prospective renters
17 of real property.

18 Sec. _____. **NEW SECTION. 562A.13A Utility service cost**
19 **disclosure statements — penalty.**

20 1. In addition to the required disclosure provisions
21 of section 562A.13, the landlord or a person authorized to
22 enter into a rental agreement on behalf of the landlord shall
23 disclose to a prospective tenant in writing at or before the
24 commencement of the tenancy, and to an existing tenant at any
25 point during the tenancy, the gas, electric, water, or sewer
26 utility service costs for a dwelling unit. Utility service
27 costs shall be provided with respect to a dwelling unit for the
28 preceding twelve-month period based upon information obtained
29 at no charge by the landlord or person authorized to enter
30 into the rental agreement from the utility furnishing utility
31 service, pursuant to an energy cost disclosure statement
32 developed pursuant to subsection 2. In the event that
33 utility service has been provided for a period of less than
34 one year, cost information shall be provided for the period
35 beginning when utility service commenced. In the event of new

1 construction, utility service cost information from similar
2 dwelling units in similar properties may be obtained in writing
3 from a utility and supplied to a prospective tenant, or in
4 the alternative, a landlord may obtain a written estimate of
5 anticipated utility service costs from a utility or an energy
6 consultant.

7 2. The office of consumer advocate shall develop the
8 format of an energy cost disclosure statement for utilization
9 by landlords in complying with this section. The format
10 developed shall include space for the disclosure of the
11 annual utility service costs, and shall also include space
12 for a representative list of energy efficiency standards
13 incorporating features or upgrades that a dwelling unit or
14 the building of which it is a part might conceivably exhibit
15 or offer. The list of energy efficiency standards shall
16 be developed by the office of the consumer advocate, in
17 consultation with state and federal energy efficiency agencies
18 and experts, and shall be accompanied by a space for notation
19 by the landlord indicating whether or not the unit or building
20 meets or exceeds each standard.

21 3. A landlord who fails to comply with the requirements of
22 this section upon receipt of a written notice by a tenant or
23 a prospective tenant that utility service costs have not been
24 disclosed shall have seven days from the date of receipt of the
25 notice to provide the required utility service cost disclosure
26 statement. A landlord who fails to provide the disclosure
27 statement within the seven-day period or who enters into a
28 rental agreement with a tenant without first disclosing utility
29 service costs on a disclosure statement or who misrepresents
30 utility service costs on a disclosure statement shall be
31 subject to a civil penalty of five hundred dollars. Such
32 penalty shall be imposed by the office of consumer advocate or
33 pursuant to a civil proceeding regarding recovery of damages
34 by a tenant for nondisclosure, and shall be remitted to the
35 division of community action agencies for deposit into the

H-8331 (Continued)

1 energy crisis fund created in section 216A.102.

2 Sec. _____. APPLICABILITY. The following provisions of this
3 Act apply to rental agreements entered into on or after January
4 1, 2018:

5 1. The section of this Act amending section 476.56.

6 2. The section of this Act enacting section 562A.13A.>

7 2. By renumbering as necessary.

By ISENHART of Dubuque

H-8331 FILED MARCH 27, 2018

SENATE FILE 2311

H-8334

1 Amend Senate File 2311, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 2, after line 17 by inserting:

4 <Sec. _____. NEW SECTION. 385.1 Definitions.

5 As used in this chapter, unless the context otherwise
6 requires:

7 1. "*Board*" means an energy investment district board
8 appointed pursuant to this chapter.

9 2. "*Energy investment*" means an acquisition, installation,
10 or modification benefitting private property, except
11 residential property with fewer than three residential units,
12 that is intended to reduce energy consumption or energy costs,
13 or both, or is intended to provide or allow for the use of
14 alternate and renewable energy. The term includes but is not
15 limited to the following measures:

16 a. Insulating walls, roofs, attics, floors, foundations, and
17 heating and cooling distribution systems.

18 b. Repairing, replacing, or installing storm windows
19 and doors, multiglazed windows and doors, heat-absorbing or
20 heat-reflective windows and doors, and other window and door
21 improvements designed to reduce energy consumption.

22 c. Constructing or reconstructing roofs designed to reduce
23 energy consumption or support additional loads necessitated by
24 other energy investments.

25 d. Installing energy control and measurement devices.

26 e. Heating, ventilating, or air conditioning distribution
27 system modifications and replacements.

28 f. Caulking and weatherstripping.

29 g. Installing lighting fixtures that result in increased
30 energy efficiency of the lighting system.

31 h. Installing water heating systems, elevators, and
32 escalators that result in increased energy efficiency.

33 i. Repairing, replacing, or installing energy recovery
34 systems.

35 j. Repairing, replacing, or installing daylighting systems.

1 *k.* Repairing, replacing, or installing energy systems that
2 provide energy from alternate or renewable energy, including
3 solar, wind, biomass, geothermal, or cogeneration.

4 *l.* Repairing, replacing, or installing facilities or
5 fixtures providing for water conservation or pollutant control.

6 *m.* Repairing, replacing, or installing an energy investment
7 related item so long as the cost of the energy investment
8 related item does not exceed twenty-five percent of the total
9 cost of the project.

10 3. "*Energy investment related item*" means a repair,
11 replacement, improvement, or modification to real property
12 that is necessary or desirable in conjunction with an energy
13 investment. The term includes but is not limited to structural
14 support improvements and the repair or replacement of any
15 building components, paved surfaces, or fixtures disrupted or
16 altered by the installation of an energy investment.

17 4. "*Project*" means one or more energy investments to be
18 installed on a property.

19 Sec. _____. NEW SECTION. 385.2 Energy investment district
20 created.

21 1. A county or city may create an energy investment district
22 pursuant to this chapter in order to provide financing for
23 energy investment projects to benefit real property in the
24 district.

25 2. One or more counties and one or more cities within
26 those counties may create, by chapter 28E agreement, an energy
27 investment district pursuant to this chapter in order to
28 provide financing for energy investment projects to benefit
29 real property in the district. The agreement creating the
30 energy investment district shall specify the geographic
31 boundaries of the district.

32 Sec. _____. NEW SECTION. 385.3 Energy investment district
33 board — membership — powers.

34 1. The governing bodies of the counties and cities
35 participating in an energy investment district shall appoint a

1 board to manage and administer the energy investment district.
2 An energy investment district board shall consist of at least
3 three members, but if the district is created pursuant to
4 section 385.2, subsection 2, in no case shall there be fewer
5 members than the number of participating cities and counties.
6 The agreement creating the energy investment district shall set
7 the term length of board members.

8 2. A board shall have and may exercise the powers and duties
9 necessary for management and administration of the energy
10 investment district as such powers and duties are described
11 in the agreement, including but not limited to the following
12 express powers and duties:

13 *a.* To adopt, amend, and repeal bylaws consistent with the
14 provisions of this chapter.

15 *b.* To adopt an official seal.

16 *c.* To sue and be sued in all courts.

17 *d.* To make and enter into contracts with public and private
18 entities.

19 *e.* To accept grants, guarantees, and donations of property,
20 labor, services, and other items of value from a public or
21 private source.

22 *f.* To employ or contract for such managerial, legal,
23 technical, clerical, accounting, or other assistance it
24 deems advisable. However, the board shall not enter into any
25 arrangement that results in an exclusive lender, underwriter,
26 or other funding partner for all projects funded by the board.

27 *g.* To finance projects under assessment contracts.

28 *h.* To levy and collect special assessments under an
29 assessment contract with a property owner.

30 *i.* To borrow money from a public or private source and issue
31 bonds and provide security for the repayment of such bonds.

32 *j.* To charge and collect fees pursuant to section 385.5.

33 *k.* To invest funds not required for immediate disbursement,
34 subject to section 28E.5, subsection 2.

35 3. A board shall exist for a minimum duration necessary to

1 finance any assessment contracts that the board enters into
2 pursuant to section 385.4.

3 Sec. _____. NEW SECTION. 385.4 Project financing requirements
4 — assessment contracts.

5 1. A board may finance a project if the following criteria
6 are met:

7 a. There are sufficient resources to complete the project.

8 b. The estimated monetary benefit, as determined by the
9 board after consultation with an outside expert, and including
10 but not limited to energy cost savings, maintenance, and other
11 property operating savings expected from the project during the
12 financing period is equal to or greater than the principal and
13 interest cost of the project, including special assessments and
14 any applicable fees.

15 c. The project complies with the ordinances and regulations
16 of the county or city where the property is located, including
17 but not limited to such ordinances and regulations concerning
18 zoning, subdivision of property, building, fire safety, and
19 historic or architectural review.

20 2. A board shall finance a project under an assessment
21 contract. An assessment contract shall be executed by the
22 board and the property owner or owners and shall include the
23 following components:

24 a. A description of the project, including the estimated
25 cost of the project and a description of the estimated savings,
26 prepared in accordance with standards accepted by the board.

27 b. A mechanism for verifying the final costs of the project
28 upon its completion and ensuring that any amounts advanced,
29 financed, or otherwise provided by the board will not exceed
30 the final cost of the project.

31 c. An agreement by the property owner to pay special
32 assessments and any applicable fees for a period not to exceed
33 the weighted average useful life of the project, as specified
34 in the assessment contract.

35 d. An assessment schedule adopted by the board by

1 resolution, stating the number of annual installments due,
2 stating the time when assessments and any applicable fees are
3 payable, and providing for interest on all unpaid installments
4 and fees at a rate not exceeding that permitted by chapter 74A.

5 *e.* A statement that the obligations provided in the
6 assessment contract, including the obligation to pay special
7 assessments and any applicable fees charged, are a covenant
8 that shall run with the land and be obligations upon future
9 owners of such property.

10 *f.* An acknowledgment that the subdivision of property
11 subject to the assessment contract shall require the assessment
12 contract or an amendment to the contract to divide the total
13 special assessment and any applicable fees charged due between
14 the newly subdivided parcels in proportion to the benefit
15 realized by each subdivided parcel.

16 *g.* An acknowledgment from all entities holding mortgages on
17 the real property, or the contract seller under a real estate
18 contract, to be assessed under the assessment contract that
19 such interest holders have consented to the levy and collection
20 of the special assessments and any applicable fees charged, as
21 described in the assessment contract.

22 3. *a.* A board shall provide a copy of a signed assessment
23 contract to the county or city assessor, as appropriate, and to
24 the county auditor of the county where the property is located
25 and shall file for recording a copy of the assessment contract
26 with the county recorder.

27 *b.* The city clerk or county auditor, as appropriate, shall
28 certify the assessment schedule to the treasurer of each county
29 where the property is located. The county treasurer shall
30 enter on the county system the amounts to be assessed against
31 the property, as certified.

32 4. A board may enter into more than one assessment contract
33 with respect to a single parcel of real property, so long as
34 each assessment contract relates to a separate project.

35 5. A board shall determine an inspection procedure to

1 be utilized upon completion of an energy investment financed
2 pursuant to this chapter.

3 Sec. _____. NEW SECTION. 385.5 **Special assessments — fees**
4 **— delinquency.**

5 1. The total special assessments levied by a board under an
6 assessment contract shall not exceed the sum of the cost of the
7 project, including any energy audits or inspections or portions
8 thereof financed by the board, plus interest.

9 2. In addition to special assessments provided under
10 subsection 1, a board may also charge a fee of up to one percent
11 of the total cost of a project, which fee may not exceed twenty
12 thousand dollars per project. Such fee shall be charged in
13 connection with administration of the assessment contract
14 and with any technical, consultative, or project assistance
15 services required. A fee charged under this subsection shall
16 be included in an assessment contract provided under section
17 385.4.

18 3. Special assessments levied and any applicable fees
19 charged by a board under an assessment contract shall be
20 levied, charged, and collected in the manner as provided in the
21 assessment contract and with the same priority as ad valorem
22 property taxes.

23 4. *a.* If special assessments and any applicable fees are
24 not paid within the time period set forth in the assessment
25 contract, such special assessments and fees shall be considered
26 delinquent. Delinquent special assessments and fees shall
27 become a lien on the property against which the special
28 assessments were levied and the fees charged. A board may
29 collect delinquent special assessments and fees as if the board
30 were a county treasurer pursuant to sections 445.3 and 445.4,
31 except that the property shall not be subject to sale for
32 delinquent taxes under chapter 446.

33 *b.* Special assessments and any applicable fees that are not
34 delinquent shall not be accelerated as part of any action or
35 proceeding to collect delinquent special assessments or fees.

1 Upon the sale of the real property subject to an assessment
2 contract, any remaining special assessments and applicable fees
3 shall be collected for the remainder of the assessment contract
4 term from a subsequent owner of the real property, including
5 an owner that is the state or any political subdivision of the
6 state.

7 Sec. _____. NEW SECTION. **385.6 Bonds issued.**

8 1. A board may, by resolution, authorize and issue bonds
9 payable from the proceeds of the special assessments and any
10 other revenues collected. Such bonds may bear dates, bear
11 interest at rates not exceeding those permitted by chapter 74A,
12 mature in one or more installments, be in either coupon or
13 registered form, carry registration and conversion privileges,
14 be payable as to principal and interest at times and places,
15 be subject to terms of redemption prior to maturity with or
16 without premium, and be in one or more denominations, all as
17 provided by the resolution of the board authorizing their
18 issuance.

19 2. Bonds issued under this section shall not constitute a
20 debt of the state or of the city or county where the property is
21 located, and the form of such bonds shall contain a statement
22 to that effect.

23 Sec. _____. NEW SECTION. **385.7 Annual reporting.**

24 A board shall submit to the governing body of each
25 participating county and city an annual report for the
26 preceding calendar year that includes the following
27 information:

28 1. A description of each project completed, including the
29 physical address of the benefitted property, the name or names
30 of the property owners, an itemized list of the costs incurred
31 under the project, and the name of any contractors used to
32 complete the project.

33 2. For each project in subsection 1, the amount of special
34 assessments due and the amount collected for the fiscal year
35 ending during the preceding calendar year.

H-8334 (Continued)

1 3. A summary of the public benefits resulting from the
2 projects listed in subsection 1, including, without limitation,
3 estimated cumulative energy savings resulting from the
4 projects.

5 4. A description of each assessment contract entered into by
6 the board, including a description of the project and a summary
7 of the assessment schedule.

8 5. The amount of administrative costs incurred by the
9 board.>

10 2. By renumbering as necessary.

By ISENHART of Dubuque

H-8334 FILED MARCH 27, 2018

SENATE FILE 2318

H-8322

1 Amend the amendment, H-8311, to Senate File 2318, as passed
2 by the Senate, as follows:

3 1. Page 1, by striking lines 2 through 21 and inserting:
4 <____. By striking everything after the enacting clause and
5 inserting:

6 <Section 1. Section 256.7, subsection 26, paragraph a,
7 subparagraph (1), Code 2018, is amended to read as follows:

8 (1) The rules establishing high school graduation
9 requirements shall ~~authorize a school district or accredited~~
10 ~~nonpublic school to consider~~ provide that any student, at any
11 grade level, who satisfactorily completes a high school-level
12 unit of instruction at a school accredited under section
13 256.11 has satisfactorily completed a unit of the high school
14 graduation requirements for that area of instruction, and
15 ~~shall authorize~~ the school district or accredited nonpublic
16 school ~~to~~ of enrollment shall issue high school credit for
17 the unit to the student unless the student is unable to
18 demonstrate proficiency or the school district or accredited
19 nonpublic school determines that the course unit completed by
20 the student does not meet the school district's or accredited
21 nonpublic school's standards, as appropriate. If a student is
22 denied credit under this subparagraph, the school district or
23 accredited nonpublic school denying credit shall provide to
24 the student's parent or guardian in writing the reason for the
25 denial.>>

By GASSMAN of Winnebago

H-8322 FILED MARCH 27, 2018

SENATE FILE 2353

H-8325

1 Amend Senate File 2353, as passed by the Senate, as follows:

2 1. Page 26, line 25, before <workforce> by inserting
3 <education, in collaboration with the department of>

4 2. Page 26, line 26, by striking <development> and inserting
5 <development,>

6 3. Page 27, after line 14 by inserting:

7 <Sec. _____. INDUSTRY OR SECTOR PARTNERSHIP TASK FORCE AND
8 REPORT.

9 1. For purposes of this section, "industry or sector
10 partnership" means the same as defined in section 84A.2, as
11 enacted by this Act.

12 2. a. An industry or sector partnership task force is
13 established consisting of the following members:

14 (1) The director of the department of education or the
15 director's designee. The director shall not designate for
16 this position the same individual designated pursuant to
17 subparagraph (3) or (4).

18 (2) Two representatives of the department of workforce
19 development appointed by the director of the department.

20 (3) The director of the department for the blind or the
21 director's designee.

22 (4) The administrator of the division of vocational
23 rehabilitation services of the department of education or the
24 administrator's designee.

25 (5) The administrator of the division of community colleges
26 of the department of education or the administrator's designee.

27 (6) Two superintendents, or the superintendents' designees,
28 of community colleges, appointed by the Iowa association of
29 community college presidents.

30 (7) Six representatives of the business community with
31 experience working with industry sector boards appointed by the
32 Iowa association of business and industry.

33 (8) Two representatives of labor organizations with
34 experience working with industry sector boards appointed by
35 the largest statewide labor organization representing state

1 employees.

2 b. The membership of the task force shall also include
3 four members of the general assembly. The legislative members
4 shall serve as ex officio, nonvoting members of the task force,
5 with one member to be appointed by each of the following: the
6 majority leader of the senate, the minority leader of the
7 senate, the speaker of the house of representatives, and the
8 minority leader of the house of representatives.

9 c. The ex officio, nonvoting members of the task force
10 appointed by the majority leader of the senate and the speaker
11 of the house of representatives shall serve as cochairpersons
12 of the task force.

13 3. The cochairpersons of the task force shall jointly
14 convene the task force. The task force shall make
15 recommendations for improving operating efficiencies of
16 industry or sector partnerships in this state. The task force
17 shall submit its findings and recommendations in a report to
18 the governor and the general assembly no later than December
19 31, 2018.>

20 4. Title page, line 3, after <development> by inserting <,
21 providing for an industry or sector partnership task force and
22 report,>

23 5. By renumbering, redesignating, and correcting internal
24 references as necessary.

By KLEIN of Washington

H-8325 FILED MARCH 27, 2018